

Public Chapter 192

SENATE BILL NO. 929

By Miller

Substituted for: House Bill No. 495

By Gunnels

AN ACT To amend Tennessee Code Annotated, Title 39, Chapter 14, Part 5, relative to the authority of county legislative bodies to control litter.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-14-504(a), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(a) County legislative bodies may, by resolution, impose regulations for litter control, including the placing, dropping, throwing, collection and storage of garbage, litter, refuse and rubbish on public or private property. The definitions pursuant to § 39-14-501 for garbage, litter, refuse, and rubbish may be included by reference in any such resolution. The county legislative body is authorized to include in the resolution that a violation occurs if a person:

(1) Knowingly places, drops or throws litter on any public or private property without permission and does not immediately remove it; or

(2) Negligently places or throws glass, litter or other dangerous substances on or adjacent to water to which the public has access for swimming or wading, or on or within fifty feet (50') of a public highway.

Such regulations shall be at least as stringent as the provisions of this part.

SECTION 2. Tennessee Code Annotated, Section 39-14-504(d), is amended by deleting the subsection in its entirety and by adding the following language:

(d) Any violation of the provisions or regulations adopted pursuant to subsection (a) shall be punished by imposing a monetary penalty in accordance with the provisions of § 5-1-121.

SECTION 3. Tennessee Code Annotated, Section 39-14-504(e), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(e) No provision in this section shall be construed as applying to any activity regulated pursuant to Title 68, Chapters 211 or 212 or Title 69, Chapter 3.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.